

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Jul 26, 2023

SEAN F. MCAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

ADAM P.,

Plaintiff,

v.

COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

NO: 2:23-CV-24-RMP

ORDER GRANTING PARTIES'
STIPULATED MOTION TO
REMAND

BEFORE THE COURT is the parties' Stipulated Motion to Remand pursuant to sentence four of 42 U.S.C. § 405(g). ECF No. 14. Plaintiff Adam P.¹ is represented by attorney Cory J. Brandt. The Commissioner of Social Security is represented by Special Assistant United States Attorney Jeffrey McClain.

After consideration, **IT IS HEREBY ORDERED** that the parties' Stipulated Motion for Remand, **ECF No. 14**, is **GRANTED**. Plaintiff's Opening Brief, **ECF No. 8**, is **DENIED AS MOOT**.

¹ The Court uses Plaintiff's first name and last initial to protect his privacy.

1 Pursuant to the parties' stipulation, the Commissioner's final decision is
2 **reversed and remanded** under sentence four of 42 U.S.C. §405(g). *See* ECF No.
3 14 at 1–3. On remand, the Appeals Council will refer the case to an Administrative
4 Law Judge (“ALJ”) to: reevaluate the issue of disability for the relevant period at
5 issue, including evaluating Plaintiff's maximum residual functional capacity and
6 obtaining evidence from a vocational expert to clarify the effect of the assessed
7 limitations on Plaintiff's ability to perform other work in the national economy.

8 Upon proper presentation, this Court will consider Plaintiff's application for
9 attorney's fees under 28 U.S.C. §§ 1920, 2412(d).

10 **IT IS SO ORDERED.** The District Court Clerk is directed to enter this
11 Order, provide copies to counsel, enter judgment in favor of Plaintiff, and **close the**
12 **file.**

13 **DATED** July 26, 2023.

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15 *s/ Rosanna Malouf Peterson*
16 ROSANNA MALOUF PETERSON
17 Senior United States District Judge
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